

REMARKS

Claims 1-7 are pending in this application after this Amendment; claim 7 being independent. In light of the remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

Official Action

In the outstanding Official Action, the Examiner rejected claims 1, 2, 7, and 8 under 35 U.S.C. § 102(e) as being clearly anticipated by *Eda et al.* (USP 6,044,723); and rejected claims 1-4, 7, and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Eda et al.* in view of *Bisiach* (USP 4,827,790).

Examiner Interview

Applicants wish to thank the Examiner for the interview conducted on January 15, 2003. It is respectfully submitted that the amendments and remarks made herein elaborate on the discussions had during the interview.

Claim Rejections - 35 U.S.C. § 102

With regard to the Examiner's rejection of claims 1, 2, 7, and 8 under 35 U.S.C. § 102(e) as being anticipated by *Eda et al.*, by this Amendment, Applicants have cancelled claim 8 and have amended claim 7 to more appropriately define the present invention.

It is respectfully submitted that amended claim 7 recites, *inter alia*, an electric power steering apparatus comprising a biasing member biasing, via a bearing, the worm shaft toward the worm wheel and a concave member accepting the bearing.

It is respectfully submitted that *Eda et al.* teaches an electric power assisting steering apparatus including an elastic body provided between at least one of the

rotating shaft and the housing and the bearing so that when a tooth surface of the worm and that of the worm wheel are brought into contact with each other, the rotating shaft is moved in at least one of the axial direction and the radial direction relative to the housing by deforming the elastic body (Abstract).

Eda et al. additionally teaches at col. 7, lines 32-36:

As shown in FIG. 5B and 5C, the bushes 310, 320 are formed by depositing rubber portions 312, 322 on metal cores 311, 321, which are made of flat plates each having a brim portion at an end of the cylindrical portion, over a range from the inner periphery to the brim portion thereof.

It is respectfully submitted that *Eda et al.* fails to teach a concave member of the present invention set forth in claim 7. As such, it is respectfully submitted that claim 7 is not anticipated by *Eda et al.*

It is respectfully submitted that claims 1-6 are allowable at least for the reasons set forth above with regard to claim 7 based upon their dependency on claim 7.

Claim Rejections - 35 U.S.C. § 103

With regard to the Examiner's rejection of claims 1-4, 7, and 8 under 35 U.S.C. § 103(a), by this Amendment, Applicants have amended claim 7 and cancelled claim 8.

As noted above, *Eda et al.* fails to teach the concave member accepting the bearing as recited in amended claim 7. It is respectfully submitted that *Bisiach* fails to cure the deficiencies of the teachings of *Eda et al.*, assuming these references are combinable, which Applicants do not admit. It is respectfully submitted that *Bisiach* teaches a system for the automatic recovery of play between a worm and a worm gear. Additionally, *Bisiach* teaches at col. 2, lines 45-51:

Arranged in the interior of casing 20 is a movable coupling assembly 28 carrying in its interior the worm 18. The assembly 28

is formed by a box 30 of sealingly welded sheet metal, in the interior of which, at the side ends, a pair of bearings 31 and 32 are accommodated, the bearing 31 being of the fixed rotary type whereas the bearing 32 is of the oscillating rotary type.

As such, it is respectfully submitted that *Bisiach* fails to teach a concave member accepting the bearing. It is respectfully submitted that claim 7 is not obvious over *Eda et al.* in view of *Bisiach* and, thus, it is respectfully submitted that claim 7 is allowable over the combination of these references.

It is respectfully submitted that claims 1-6 are allowable at least for the reasons set forth above with regard to claim 7 based upon their dependency on claim 7.

CONCLUSION

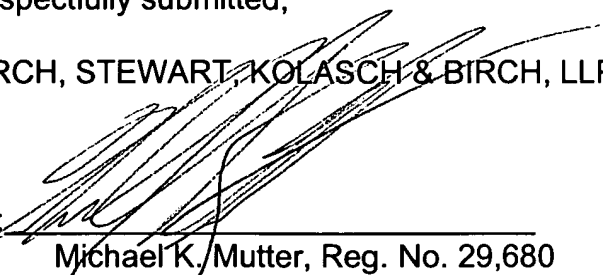
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinnet (Reg. No. 52,327) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner of hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version With Markings to Show Changes Made



VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 8 has been cancelled without prejudice or disclaimer of the subject matter contained therein.

The claims have been amended as follows:

7. (Amended) An electric power steering apparatus, comprising:

an electric motor for steering assistance;

a worm shaft on which a worm is disposed;

a steering shaft on which a worm wheel is disposed and to which a rotary motion of said electric motor is transmitted through said worm shaft; [and]

a biasing member biasing, via a bearing, [one of] said worm shaft [and said worm wheel] toward [the other one of said worm shaft and] said worm wheel; and

a concave member accepting the bearing.

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